

CONFIDENTIAL

Page 1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ANDREW L. COLBORN,

Plaintiff,

vs.

NETFLIX, INC., et al.,

Defendants.

Case No.: 19-CV-0484

C O N F I D E N T I A L

VIDEO-RECORDED DEPOSITION OF LISA NISHIMURA
Los Angeles, California
Friday, April 29, 2022

REPORTED REMOTELY BY:

NATALIE ALCOTT-BERNAL, CSR No. 13105



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1 72, and 73.

2 If you can just please take a moment to review
3 those.

4 A I'll read them.

5 Q Thank you.

6 A I've read it.

7 Q Thank you.

8 On the bottom half of the first page of that set
9 of pages, which is Bates-stamped CHRM 71, there is,
10 apparently, an e-mail message dated November 11th, 2013,
11 from Moira Demos to Adam Del Deo.

12 Do you see that?

13 A I -- I do.

14 Q The first or the second sentence in that message
15 states, "We are planning for and looking forward to your
16 and Lisa's visit this week."

17 Do you see that?

18 A I do.

19 Q At some point do you recall going to the
20 Synthesis offices and meeting with Ms. Demos and
21 Ms. Ricciardi?

22 A I do have a memory of going to their offices. I
23 don't remember if it was, specifically, this date or this
24 occasion, but yes.

25 Q What was the purpose of going to their offices,

1 to your recollection?

2 A We were going to meet with them, as you know we
3 do with our filmmakers. It's a very collaborative
4 process.

5 I'm gleaning from the contents of this e-mail
6 that they wanted to give us a creative update on where
7 they were with the project. And it sounds like here they
8 had put some assemblies or scenes together from their
9 episodes that they wanted to show to us.

10 Q Do you recall whether the -- strike that.

11 Do you recall whether you would have gone to the
12 Synthesis offices with just Mr. Del Deo, or would anyone
13 else have accompanied you?

14 A I don't. I don't recall with certainty. I do
15 remember going with him, but I don't recall if anybody
16 else was there.

17 Q And directing your attention up to the first
18 message at the top of the page from Paola Correa to
19 Moira Demos on 11/12/2013.

20 Do you see that message?

21 A I do.

22 Q That states in the second paragraph that you had
23 a -- you and Adam had a two-hour block open on Friday,
24 November 15th.

25 Do you see that?

1 Q And the second line of that e-mail message
2 indicates that there were notes that were available for
3 the first three episodes at that time.

4 Do you see that?

5 A I do see -- yes, I see the line.

6 Q We will be going through a lot of notes later in
7 the deposition. But I just want to first get a general
8 sense of that process, to the best of your recollection.

9 Would the first step in the process of
10 generating notes for each cut would be that you would be
11 provided a version of the cut -- or strike that -- you
12 would be provided a cut by Laura Ricciardi and
13 Moirra Demos, and you -- your team would review it;
14 correct?

15 A That's correct.

16 Q And then in terms of compiling notes, did each
17 member of the Netflix creative team first assemble their
18 own notes?

19 A It was different every time. So there were
20 occasions when we would watch a cut together and then
21 discuss it and determine which of us would lead in
22 drafting the first set of notes, after which anyone on
23 the creative team that was party to a review would add
24 their thoughts and ideas and questions. Again, as I
25 mentioned, it's a very, very collaborative process.

1 There were other times when each of us would
2 watch separately and agree on a deadline to produce
3 notes, again, determining who would take lead on a draft,
4 or we would often use a collaborative platform like
5 Google Docs so that we could be concurrently drafting
6 notes. So, I would say that there was never a uniform
7 way in which notes were produced, but that -- that it was
8 always collaborative across the creative team that was
9 working on the project.

10 Q Thank you.

11 And, so, once the team itself decided on what
12 the final draft of the notes would consist of, then it
13 would be relayed back to the Synthesis team?

14 A Correct.

15 Q Following up on the question about the prior
16 message. I believe there was a reference in CHRM 72 to
17 an edit room at the Synthesis office. Do you recall
18 being in an edit room?

19 A Sorry.

20 A Sorry. Do you have more to your question?

21 Q Yeah. I'm sorry. Yes. I'll strike the prior
22 version.

23 Do you recall being in an edit room at the
24 Synthesis office?

25 A I recall that Synthesis had a combined office,